

ARGUMENT

3. Intervenor now alleges both negligence and assault as causes of action, but has not indicated whether these causes are brought pursuant to federal or state law. Intervenor has failed to plead the elements of the cause of action or clearly state facts for which she claims the City is liable. Without further specificity, the City will not be able to properly prepare its defense to the cause of action brought by Intervenor.

CONCLUSION

4. The new causes of action added in paragraph 6(a) of Plaintiff's Amended Complaint in Intervention are not specific enough to permit the City to file a responsive pleading. As a result, the Court should require Intervenor to amend her complaint with a more definite statement of the suit.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 28, 2015, a true and correct copy of the foregoing document has been electronically filed on the CM/ECF system, and a copy forwarded to the following parties as follows:

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A handwritten signature in black ink, appearing to read 'CLARK' in a stylized, cursive script.

CLARK RICHARDS